

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA**

UNITED STATES OF AMERICA,

Plaintiff,

v.

MICHAEL GORDON DOUGLAS,

Defendant.

Case No.: 23-CR-80219-AMC

**UNITED STATES NOTICE OF
ENHANCED PENALTIES BASED ON
DEFENDANT'S PRIOR CHILD SEX
OFFENSE CONVICTION**

The United States of America files this notice of enhanced penalties pursuant to 18 U.S.C. 2252A(b)(1), and hereby notifies defendant, counsel, and the Court of the following:

1. On or about April 27, 2011, in the Superior Court of California, County of San Diego, Case No. CN221675, defendant, Michael Gordon Douglas, was convicted after a jury trial of felony distribution of matter depicting person under 18 in sexual conduct, in violation of Cal. Penal Code § 311.1(a) (three counts); felony possession of matter depicting person under 18 in sexual conduct, in violation of Cal. Penal Code § 311.1(a); and attempted harmful matter sent to minor via electronic means, in violation of Cal. Penal Code §§ 288.2(b) and 664. A certified copy of the complaint, judgment, conviction, fingerprints, and appellate opinion upholding the conviction in that case is attached as Exhibit A and is incorporated by reference herein.

2. Because defendant's prior convictions are violations of the laws of any State, and specifically California, relating to the possession or distribution of child pornography, the enhanced penalty provisions of 2252A(b)(1) (Counts One through Seven of the Superseding Indictment) apply. If convicted, defendant faces mandatory minimum term of imprisonment of

not less than 15 years nor more than 40 years, a fine of \$250,000, or both, a term of supervised release of not less than 5 years, or life, and a mandatory special assessment of \$100, as to Counts One through Seven of the Superseding Indictment (DE 55).

3. Pursuant to 18 U.S.C. § 3583(k), if defendant is required to register under the Sex Offender Registration and Notification Act and commits any criminal felony offense under Title 18, United States Code, Chapters 109A, 110 or 117, or Sections 1201 or 1591, the Court shall revoke the term of supervised release and require defendant to serve a term of imprisonment of not less than 5 years and up to life. Any other violation of the terms and conditions of supervised release is punishable by a term of imprisonment of up to 3 years. Pursuant to 18 U.S.C. § 2259A, the Court shall impose a special assessment of not more than \$35,000 per count on any defendant convicted of an offense in violation of 18 U.S.C. § 2252(a)(2). Pursuant to 18 U.S.C. § 3014, the Court shall impose a \$5,000 special assessment on any non-indigent defendant convicted of an offense in violation of 18 U.S.C. § 2252(a)(2).

4. If defendant is convicted of all counts in the indictment, he faces a mandatory minimum term of imprisonment of not less than 15 years nor more than Life, fine totaling \$2,00,000, or both, a term of supervised release of not less than 5 years, or life, mandatory special assessments totaling \$800. Pursuant to 18 U.S.C. § 3583(k), if defendant is required to register under the Sex Offender Registration and Notification Act and commits any criminal felony offense under Title 18, United States Code, Chapters 109A, 110 or 117, or Sections 1201 or 1591, the Court shall revoke the term of supervised release and require defendant to serve a term of imprisonment of not less than 5 years and up to life. Any other violation of the terms and conditions of supervised release is punishable by a term of imprisonment of up to 14 years. Pursuant to 18 U.S.C. § 2259A, the Court shall impose special assessments totaling not more

than \$280,000. Pursuant to 18 U.S.C. § 3014, the Court shall impose special assessments totaling \$40,000 if defendant is non-indigent.

MARKENZY LAPOINTE
UNITED STATES ATTORNEY

By: s/Gregory Schiller
Gregory Schiller
Assistant United States Attorney
Florida Bar No. 0648477
500 S. Australian Ave., Suite 400
West Palm Beach, FL 33401
Tel: (561) 209-1045
Email: gregory.schiller@usdoj.gov

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on July 18, 2024, I electronically filed the foregoing document with the Clerk of the Court using CM/ECF.

s/Gregory Schiller
Gregory Schiller
Assistant United States Attorney